

REMARKS/ARGUMENTS

Claims 1, 2 and 5-11 are pending herein. Claim 1 has been rewritten to incorporate the features originally recited in claim 3 and claims 3 and 4 have been cancelled. Claims 2, 5, 6 and 8 have been amended merely to correct minor matters of form. Applicants respectfully submit that no new matter has been added.

1. Examiner Lavarias is thanked for courtesies extended to Applicants' representatives during telephonic interviews on March 1, 2004 and March 4, 2004, the substance of which are incorporated below.

2. Applicants appreciate Examiner Lavarias indicating that claims 10 and 11 are allowed. In addition to allowed claims 10 and 11, Applicants respectfully submit that all claims pending herein are in condition for allowance for the reasons explained below.

3. Claims 1, 3, 5, 6, 8 and 9 were rejected under §102(b) over Seino. Applicants respectfully traverse this rejection.

Independent claim 1 now recites a fiber array housing a stripped fiber in a V-groove of a V-grooved substrate comprising a fiber fixing substrate fixing the stripped fiber and a peripheral adhesive disposed around the stripped fiber. An end face of the peripheral adhesive is recessed a depth x with respect to an end face of the fiber, and the recess depth x is at least $0.1\text{ }\mu\text{m}$ and no more than $10\text{ }\mu\text{m}$.

During the telephonic interview, Examiner Lavarias asserted that a recess may be dimensionally defined as having a depth that includes a depth of zero microns. That is, Examiner Lavarias insisted that the word "recessed" means zero and anything greater than zero. Examiner Lavarias asserted that claim 1 does not define a lower recess limit, other than zero, and asserted that the phrase "recessed no more than $10\text{ }\mu\text{m}$ " covered a lower limit recess depth of zero, which he asserted is disclosed in Seino.

Applicants respectfully disagree, and maintain the position that in order for something to be "recessed," the recess depth must be greater than zero, because zero would be flush, and something cannot be flush and recessed at the same time. In any event, however, claim 1 has been rewritten to incorporate the lower recess depth limit of 0.1 μm that was originally recited in claim 3.

Thus, based on Examiner Lavarias' own admissions about the disclosure of Seino, Applicants respectfully submit that rewritten claim 1 defines patentable subject matter over Seino, because Seino, at best, discloses a recess depth of zero (flush) and rewritten claim 1 now clearly defines a minimum recess depth of 0.1 μm (which is greater than zero).

During the telephonic interview on March 4, 2004, Examiner Lavarias indicated that if claim 1 were amended to incorporate the limitations of claim 3, he would enter such an Amendment at this stage, and perform an updated search. Applicants respectfully submit that claim 1 has been so rewritten.

For at least the foregoing reasons, Applicants respectfully submit that all claims pending herein define patentable subject matter over Seino. Accordingly, Applicants respectfully request that the above rejection be reconsidered and withdrawn.

4. Claim 7 was rejected under §103(a) over Seino in view of Hirai (EP '600). Applicants respectfully traverse this rejection.

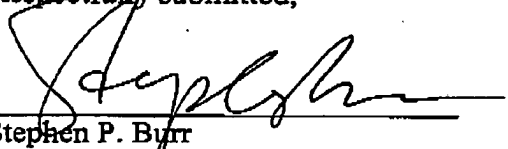
Applicants respectfully submit that Seino does not disclose each and every limitation of rewritten independent claim 1 for the reasons explained in section 3 above. Since claim 7 depends directly from independent claim 1, Applicants respectfully submit that claim 7 likewise defines patentable subject matter over the art of record. Accordingly, Applicants respectfully request that the above rejection be reconsidered and withdrawn.

If Examiner Lavarias believes that contact with Applicants' attorney would be advantageous toward the disposition of this case, he is herein requested to call Applicants' attorney at the phone number noted below.

The Commissioner is hereby authorized to charge any additional fees associated with this communication or credit any overpayment to Deposit Account No. 50-1446.

Respectfully submitted,

March 10, 2004
Date


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